IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF DELAWARE

QFIX SYSTEMS, LLC and ANHOLT TECHNOLOGIES, INC. d/b/a QFIX,)	
Plaintiffs,))) C.A. No. 23-077 (CJI	3
V.) C.A. 1vo. 23-077 (CSI	ِر
KLARITY MEDICAL PRODUCTS, LLC,)	
Defendant.)	

AMENDED JOINT CLAIM CONSTRUCTION CHART

Pursuant to the Scheduling Order, D.I. 21, ¶ 12, and the Court's March 8, 2024 Order, D.I. 72, Plaintiffs Qfix Systems, LLC and Anholt Technologies, Inc. (collectively, "Qfix") and Defendant Klarity Medical Products, LLC ("Klarity") submit the attached Amended Joint Claim Construction Chart containing claim terms and phrases for the Court's construction from U.S. Patent Nos. 11,364,088 ("'088 Patent") and 11,771,516 ("'516 Patent").

I. Agreed-Upon Terms

None.

II. Disputed Terms

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
1	"locks"	No construction	'088 Patent	Means-plus-function	<u>088 Patent:</u>
		necessary; plain and	Col. 2:3-7	term under 35 U.S.C. §	Abstract; Figs. 1A-1B,
	088: Claims 1-	ordinary meaning;	Col. 2:16-19	112(f)	3B-3C, 4A-4D; 5A-5B,
	3, 5, 10, 11, 14-	not subject to 35	Col. 2:31-33		12; 2:3-7; 2:16-19;
	16	U.S.C. § 112(f).	Col. 2:37-60	Function: "releasably	2:31-33; 2:37-60; 7:13-
			Col. 3:22-24	attaching the frame to	17; 7:28-33; 7:58-60;
	516: Claims 1-3,	If construction is	Col. 3:32-34	the patient support"	7:64-9:44; 9:66-10:7
	5-8, 10-12	required, Plaintiffs	Col. 5:21-27		
		contend the plain and	Col. 5:51-62	Corresponding	088 Patent Prosecution
		ordinary meaning of	Col. 6:7-14	Structure: "mechanism	<u>History:</u>
		this term is	Col. 7:8-37	mounted to the frame	- May 4, 2022 Corrected
		"structures that lock	Col. 7:55-9:44	that is co-located with,	Notice of Allowability
		one component	Col. 9:52-55	and coupled to, the	[QFIX-0000014-23]
		relative to another	Col. 9:66-10:20	recited corresponding	
		component."	Col. 10:59-11:3	adjuster, the mechanism	Appl. No. 16/917,232:
			Col. 11:55-12:53	including:	- Sept. 23, 2021
		Alternatively, to the	Col. 14:20-38	casing 140 with a	Amendment [QFIX-
		extent the Court	Col. 14:65-15:25	through-hole 144	0006592-604]
		determines this term	Col. 16:35-49	that includes	- Nov. 15, 2021 Office
		is subject to 35	Col. 17:16-42	threading	Action [QFIX-0006504-
		U.S.C. § 112(f),	Col. 17:56-18:67	• flange 164 on the	541]
		Plaintiffs propose the	Col. 19:22-27	plunger	- Feb. 15, 2022
		following function	Claims 1-3, 10, 11, 14,	• Keying feature 166	Response to Office
		and structure:	and 15	on the plunger	

The specifications of the '088 and '516 patents are substantially similar, and references to the '088 specification apply equally to the '516 specification unless otherwise noted.

Term Claim Term Plaintiffs' Proposed Plaintiffs' Defe	efendant's Proposed	Defendant's
1	Construction	Intrinsic Evidence ¹
No. Patent/Claim Construction Intrinsic Evidence	Shaft 150 having a through-hole 154 with one or more keying features 155, extensions 156 that extend from lower end of casing 140, and threading 152 sized and pitched to mate with the threading on the interior of casing 140 plunger 160 having a flange 164 at a lower end thereof and keying features 166 sized to mate with keying features 155 on shaft 150 shown in Figs. 4A-	

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			Other Intrinsic	"mechanism mounted to	
			Evidence	the frame and co-	
			'088 Patent File	located with the adjuster	
			<u>History</u> ,	for attaching the frame	
			-Mar. 30, 2022 Notice	to the patient support	
			of Allowance [QFIX-	that includes a casing	
			0000044-54];	140 having a threaded	
			-May 4, 2022 Notice	through-hole 144; a	
			of Allowance [QFIX-	plunger 160 having	
			0000013-23];	keying features 166, and	
			-May 4, 2022	a flange 164; and a shaft	
			Examiner Interview	150 having keying	
			Summary [QFIX-	features 155 as shown in	
			0000024];	Figs. 4A-4C"	
			-May 9, 2022		
			Comments on		
			Statement of Reasons		
			for Allowance [QFIX-		
			0000010-11];		
			<u>'516 Patent File</u>		
			<u>History</u> ,		
			Feb. 6, 2023 Non-		
			Final Rejection		
			[QFIX-0003372-384];		
			-Mar. 3, 2023		
			Examiner Interview		
			Summary [QFIX-		
			0003363-365];		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			-Mar. 15, 2023		
			Amendment [QFIX-		
			0003345-361];		
			-Mar. 27, 2023 Notice		
			of Allowance [QFIX-		
			0003308-317];		
			May 11, 2023		
			Comments on		
			Statement of Reasons		
			for Allowance [QFIX-		
			0003293-294];		
			'606 Patent File		
			<u>History,</u>		
			-June 25, 2019 Non-		
			Final Rejection		
			[QFIX-0001905-919];		
			-Sept. 25, 2019		
			Amendment [QFIX-		
			0001857-877];		
			-Nov. 5, 2019		
			Supplemental		
			Amendment [QFIX-		
			0001838-847];		
			June 5, 2020		
			Amendment [QFIX-		
			0001758-772];		
			YI G D		
			U.S. Provisional		
			Application No.		
			62/102,358;		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			U.S. Provisional		
			Application No.		
			61/941,542		
			Appl. No. 16/917,232		
			File History:		
			-June 23, 2021 Office		
			Action [QFIX-		
			0006674-713]		
			- Sept. 23, 2021		
			Amendment [QFIX-		
			0006592-604]		
			- Nov. 15, 2021 Office		
			Action [QFIX-		
			0006504-541]		
			- Feb. 15, 2022		
			Response to Office		
			Action [QFIX-		
			0006490-501]		
			- Feb. 28, 2022		
			Interview Summary		
			[QFIX-0006427-429]		
			- March 15, 2022		
			Supplemental		
			Amendment [QFIX-		
			0006416-424]		
			-June 13, 2023 Office		
			Action [QFIX-		
			0006210-248]		
			-Sept. 13, 2023		
			Amendment [QFIX-].		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
2	"adjusters"	No construction	'088 Patent	Means-plus-function	<u>088 Patent:</u>
		necessary; plain and	Col. 2:6-11	term under 35 U.S.C. §	Abstract; Figs. 4A-4D,
	088: Claims 1,	ordinary meaning;	Col. 2:19-24	112(f)	5A-5B, 12; 2:6-11;
	2, 4, 10, 11, 14-	not subject to 35	Col. 2:34-36		2:19-24; 2:34-36; 2:46-
	16	U.S.C. § 112(f)	Col. 2:46-52	Function: "selectively	52; 2:58-60; 4:20-46;
			Col. 2:58-60	adjusting the distance	7:38-41; 7:64-8:65;
	516: Claims 1,	If construction is	Col. 3:22-34	between the frame and	9:45-10:20; 10:36-63;
	2, 4, 7, 9, 11, 12	required, Plaintiffs	Col. 3:50-4:8	the patient support by	11:33-54; 14:20-38;
		contend the plain and	Col. 4:20-46	rotation of the plunger,	14:65-15:18; 18:52-56
		ordinary meaning of	Col.5:8-27	while the frame is	
		this term is	Col. 5:51-62	attached to the patient	516 Patent Prosecution
		"structures that	Col. 7:8-54	support"	<u>History:</u>
		adjust the position of	Col. 7:64-8:12		- March 27, 2023 Notice
		one component	Col. 9:45-10:20	Corresponding	of Allowability [QFIX-
		relative to another	Col. 10:36-11:3	Structure: "mechanism	0003312-315]
		component"	Col. 11:32-54	coupled to the frame or	
			Col. 11:55-12:26	the patient support and	606 Patent Prosecution
		Alternatively, to the	Col. 14:20-45	co-located with the	<u>History:</u>
		extent the Court	Col. 14:65-15:25	recited lock, the	- Sept. 25, 2019
		determines this term	Col. 16:35-64	mechanism including:	Response to Office
		is subject to 35	Col. 17:16-42	• casing 140	Action [QFIX-0001857-
		U.S.C. § 112(f),	Col. 17:48-18:17	• shaft 150	877]
		Plaintiffs propose the	Col. 18:52-56	• plunger 160	- Oct. 28, 2019 Email to
		following function	Col. 18:57-19:27	• flange 158	Examiner [QFIX-
		and structure:	Claims 1, 2, 4, 5, 10-	• knob 162	0001852-854]
			12, and 14-16	• keying features 166	- Oct. 30, 2019
		Function:	FIGS. 1A-1B, 2, 3A-	• keying features 155	Interview Summary
		"selectively adjusting	3C, 4A-4E, 5A, 5B, 6-	• threading 152	[QFIX-0001849-854]
		the distance between	9, 12, 17, 18, and 20-	• threaded through-	- Nov. 5, 2019
		the frame and the	25B	hole 144	Supplemental
		patient support along	Abstract.	11016 144	

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
		the plunger axis of		as shown in Figs. 4A-	Amendment [QFIX-
		the corresponding	<u> '516 Patent</u>	4C; adjusters do not	0001838-847]
		one of the separate	Col. 3:18-30	include the use of loose	
		locks"	Col. 3:46-4:4	and/or separate shims"	913 Patent Prosecution
			Col. 4:16-42		<u>History:</u>
		Corresponding	Col. 5:4-23	Alternatively, to the	- Apr. 1, 2022 Notice of
		Structure: adjusters	Col. 5:47-58	extent the Court	Allowance [QFIX-
		(including shims,	Col. 7:11-58	determines this term is	0000337-342]
		adjustable shims,	Col. 8:1-17	not subject to 35 U.S.C.	- Apr. 28, 2021
		variable shims,	Col. 9:51-10:26	§ 112(f), Defendant	Response to Office
		sliders, wedges,	Col. 10:41-11:8	proposes the following	Action [QFIX-0000555-
		ramps, wheels, cams)	Col. 11:37-54	construction:	571]
		configured to be	Col. 11:60-12:31		- June 10, 2020
		associated with a	Col. 14:25-50	"mechanism mounted to	Response to Office
		corresponding one of	Col.15:11-30	the frame and co-	Action [QFIX-0000628-
		the separate locks	Col. 16:38-67	located with the lock to	648]
		and being further	Col. 17:19-45	selectively adjust the	- Dec. 12, 2019 Office
		configured to extend	Col. 17:51-18:20	distance between the	Action [QFIX-0000665-
		about the plunger	Col. 18:60-19:30	frame and the patient	681]
		axis of the	Claims 1, 2, 4, 5, 7,	support while the frame	
		corresponding one of	and 9-12	is attached to the patient	Provisional Appl. No.
		the separate locks	FIGS. 1A-1B, 2, 3A-	support, the mechanism	<u>61/941,542:</u>
			3C, 4A-4E, 5A, 5B, 6-	provided by the	pp. 1-2, 5-6; Figs. 1-4,
			9, 17, 18, and 20-25B.	interaction between the	10-11
				plunger 160, the knob	
				162, the keying features	Provisional Appl. No.
			Other Intrinsic	166, the threading 152,	<u>62/102,358:</u>
			Evidence	the threaded through-	pp. 1-4, 6-13, 17-19; 29
			'088 Patent File	hole 144, and the keying	(Abstract); Figs. 4A-4C,
			<u>History</u>	features 155 as shown in	5A-5B
				Figs. 4A-4C; adjusters	

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			Mar. 30, 2022 Notice	do not include the use of	606 Patent Prosecution
			of Allowance [QFIX-	separate or loose shims"	<u>History:</u>
			0000044-54];		- June 25, 2019 Office
			-May 4, 2022 Notice		Action [QFIX-0001905-
			of Allowance [QFIX-		1919]
			0000013-23];		- Sept. 25, 2019
			-May 4, 2022		Response and
			Examiner Interview		Amendment to Office
			Summary [QFIX-		Action [QFIX-0001857-
			0000024];		877]
			May 9, 2022		- Apr. 21, 2021 Notice
			Comments on		of Allowance [QFIX-
			Statement of Reasons		0001516-522]
			for Allowance [QFIX-		
			0000010-11];		
			516 Detent Eile		
			'516 Patent File History		
			-Feb. 6, 2023 Non-		
			Final Rejection		
			[QFIX-0003372-384];		
			-Mar. 3, 2023		
			Examiner Interview		
			Summary [QFIX-		
			0003363-365];		
			-Mar. 15, 2023		
			Amendment[QFIX-		
			0003345-361];		
			-Mar. 27, 2023 Notice		
			of Allowance [QFIX-		
			0003308-317];		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
		_	Intrinsic Evidence -May 11, 2023 Comments on Statement of Reasons for Allowance [QFIX- 0003293-294];	-	
			of Allowance [QFIX-0001516-522];		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			U.S. Provisional		
			Application No.		
			62/102,358;		
			U.S. Provisional		
			Application No.		
			61/941,542		
			'913 Patent		
			Prosecution History:		
			- June 28, 2022		
			Comments on		
			Statements of Reasons		
			for Allowance [QFIX-		
			0000319-320]		
			- Apr. 1, 2022 Notice		
			of Allowance [QFIX-		
			0000337-342]		
			- Apr. 28, 2021		
			Response to Office		
			Action [QFIX-		
			0000555-571]		
			-Oct. 28, 2020 Office		
			Action [QFIX-00573-		
			598]		
			- June 10, 2020		
			Response to Office		
			Action [QFIX-		
			0000628-648]		
			- Dec. 12, 2019 Office		
			Action [QFIX-		
			0000665-681].		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
3	"the separate	No construction	'088 Patent	"the distance between	088 Patent:
	adjusters being	necessary; plain and	Col. 4:20-46	the frame and patient	Figs. 5A-5B; 5:60-62;
	separate from	ordinary meaning.	Col. 5:8-27	support at any one	16:35-48
	one another		Col. 5:51-62	adjuster co-located with	
	such that [the/a]	If construction is	Col. 7:28-47	a corresponding lock	913 Patent Prosecution
	distance	required, Plaintiffs	Col. 9:45-10:20	can be adjusted without	<u>History:</u>
	between the	contend the plain and	Col. 10:49-11:3	affecting or adjusting	- June 10, 2020
	frame and the	ordinary meaning of	Col. 11:55-12:6	the distance between the	Response to Office
	patient support	this phrase is "the	Col. 14:20-38	frame and the patient	Action [QFIX-0000628-
	along the	distance can be	Col. 15:6-25	support at any other	648]
	plunger axis of	adjusted by an	Col. 16:35-64	lock"	- Apr. 28, 2021
	the	adjuster at one lock	Claims 1, 10, 11, 14-		Response to Final
	corresponding	without requiring	16		Office Action [QFIX-
	one of the	adjustment by an	FIGS. 1A-1B, 2, 3A-		0000555-571]
	separate locks is	adjuster at another	3C, 4A-4E, 5A, 5B,		- Apr. 1, 2022 Notice of
	adjustable	lock"	17, 18, and 20-25B		Allowance [QFIX-
	independent of				0000337-342]
	[the/a] distance		'516 Patent		
	between the		Col. 4:16-42		
	frame and the		Col. 5:4-23		
	patient support		Col. 5:47-58		
	along the		Col. 7:32-51		
	plunger axis of		Col. 9:51-10:26		
	another one of		Col. 10:54-11:8		
	the separate		Col. 11:60-12:11		
	locks"		Col. 14:25-43		
			Col. 15:11-29		
	088: Claims 1,		Col. 16:38-67		
	11		Claims 1, 11, and 12		
	516 C1 : 1				
	516: Claim 1				

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			FIGS. 1A-1B, 2, 3A-		
	"the separate		3C, 4A-4E, 5A, 5B,		
	adjusters being		17, 18, and 20-25B		
	separate from				
	one another		Other Intrinsic		
	such that the		Evidence		
	distance		'088 Patent File		
	between one of		<u>History</u>		
	the at least two		Mar. 30, 2022 Notice		
	separate frame		of Allowance [QFIX-		
	portions of the		0000044-54];		
	split frame of		-May 4, 2022 Notice		
	the		of Allowance [QFIX-		
	immobilization		0000013-23];		
	apparatus and		-May 4, 2022		
	the patient		Examiner Interview		
	support at one		Summary [QFIX-		
	of the separate		0000024];		
	locks is		-May 9, 2022		
	adjustable		Comments on		
	independent of		Statement of Reasons		
	the distance		for Allowance [QFIX-		
	between the one		0000010-11];		
	of the at least				
	two separate		<u>'516 Patent File</u>		
	frame portions		<u>History</u>		
	and the patient		Mar. 27, 2023 Notice		
	support at		of Allowance [QFIX-		
	another one of		0003308-17];		
	the separate		-May 11, 2023		
	locks."		Comments on		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			Statement of Reasons		
	088: Claims 10,		for Allowance [QFIX-		
	14		0003293-94;		
	"the distance		U.S. Provisional		
	between the		Application No.		
	frame and the		62/102,358;		
	patient support				
	along the		U.S. Provisional		
	plunger [or pin]		Application No.		
	axis of the		61/941,542;		
	corresponding				
	one of the		913 Patent Prosecution		
	separate locks is		<u>History:</u>		
	adjustable		- Dec. 12, 2019 Office		
	independent of		Action [QFIX-		
	[the/a] distance		0000665-681]		
	between the		- June 10, 2020		
	frame and the		Response to Office		
	patient support		Action [QFIX-		
	along the		0000628-648]		
	plunger [or pin]		- Oct. 28, 2020 Office		
	axis of another		Action [QFIX-		
	one of the		0000573-598]		
	separate locks"		- Apr. 28, 2021		
	000 01 : 17		Response to Final		
	088: Claim 15		Office Action [QFIX-		
	716 01 : 11		0000555-571]		
	516: Claims 11,		- Apr. 1, 2022 Notice		
	12		of Allowance [QFIX-		
			0000337-342]		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
	"the distance		- June 28, 2022		
	between the		Comments on		
	frame and the		Statements of Reasons		
	patient support		for Allowance [QFIX-		
	at the plunger or		0000319-320].		
	pin axis of the				
	one of the				
	separate locks is				
	adjusted				
	independent of				
	the distance				
	between the				
	frame and the				
	patient support				
	at the plunger				
	axis of the				
	another one of				
	the separate				
	locks"				
	088: Claim 16				
	000. Claim 10				
4	"separate	No construction	'088 Patent	"each adjuster is co-	088 Patent:
	adjusters each	necessary; plain and	Col. 3:22-34	located with a	Figs. 3B-3C, 5A-5B;
	configured to be	ordinary meaning.	Col. 4:20-46	corresponding lock and	7:64-8:2; 7:28-35; 8:58-
	associated with	_	Col.5:8-27	configured to adjust the	65; 10:59-67
	a corresponding	If construction is	Col. 7:8-54	distance between the	
	one of the	required, Plaintiffs	Col. 7:64-8:19	frame and patient	
	separate locks"	contend the plain and	Col. 8:30-44	support at the	
		ordinary meaning of	Col. 8:58-65	corresponding lock	
		this phrase is	Col. 9:45-10:20	only"	

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
	088: Claims 1,	"separate adjusters	Col. 10:59-11:3		
	2, 11	each configured to be	Col. 11:55-12:26		
		associated with a	Col. 16:35-48		
	516: Claims 1,	selected compatible	Claims 1, 2, 5, 11, 15,		
	2, 7, 12	lock"	and 16		
			FIGS. 1A-1B, 2, 3A-		
	"separate		3C, 4A-4E, 5A, 5B,		
	adjuster		17, 18, and 20-25B		
	associated with				
	the		'516 Patent		
	corresponding		Col. 3:18-30		
	one of the		Col. 4:16-42		
	separate locks"		Col.5:4-23		
			Col. 7:11-58		
	088: Claim 15		Col. 8:1-24		
			Col. 8:35-49		
			Col. 9:51-10:26		
			Col. 10:64-11:8		
			Col. 11:60-12:31		
			Col. 16:38-51		
			Claims 1, 2, 7, 11, and		
			12		
			FIGS. 1A-1B, 2, 3A-		
			3C, 4A-4E, 5A, 5B,		
			17, 18, and 20-25B		
			Other Intrinsic		
			Evidence		
			<u>'088 Patent File</u>		
			<u>History</u>		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			Mar. 30, 2022 Notice		
			of Allowance [QFIX-		
			0000044-54];		
			-May 4, 2022 Notice		
			of Allowance [QFIX-		
			0000013-23];		
			-May 4, 2022		
			Examiner Interview		
			Summary [QFIX-		
			0000024];		
			-May 9, 2022		
			Comments on		
			Statement of Reasons		
			for Allowance [QFIX-		
			0000010-11];		
			'516 Patent File		
			History		
			Mar. 27, 2023 Notice		
			of Allowance [QFIX-		
			0003308-17];		
			-May 11, 2023		
			Comments on		
			Statement of Reasons		
			for Allowance [QFIX-		
			0003293-94];		
			U.S. Provisional		
			Application No.		
			62/102,358;		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			U.S. Provisional Application No. 61/941,542.		
5	"plunger" 088: Claims 1, 11, 15 516: Claims 1, 11, 12	No construction necessary; plain and ordinary meaning. If construction is required, Plaintiffs contend the plain and ordinary meaning of this term is "an axially-extending element that is at least partially movable into something by a pressing or sliding motion."	'088 Patent Col. 7:64-8:2 Col. 8:30-57 Col. 8:66-9:44 Col. 9:66-10:20 Col. 12:7-26 Claims 1, 2, 5, 11, 15, 16 FIGS. 4A-4E, 8 '516 Patent Col. 8:1-6 Col. 8:35-62 Col. 9:4-50 Col. 10:5-26 Col. 12:12-31 Claims 1, 2, 5, 7, and 10-12 FIGS. 4A-4E, 8 Other Intrinsic Evidence U.S. Provisional Application No. 62/102,358;	"a pin-like structure that includes a flange 164 at its lower end to engage extensions 156 and one or more keying features 166 sized to mate with the keying features 155 on the shaft 150 as shown in Fig. 4C"	088 Patent: Figs. 4A-4C; 7:64-8:1; 8:30-35; 8:45-57

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			U.S. Provisional		
			Application No.		
			61/941,542.		
6	"coupled to"	No construction	'088 Patent	"permanently or	088 Patent:
		necessary; plain and	Col. 1:63-2:60	releasably attached to"	5:25-27; 5:52-62; 6:65-
	088: Claims 1,	ordinary meaning.	Col. 3:55-59		67; 7:38-47; 10:38-39;
	3, 10, 11, 14		Col. 5:25-27		10:59-67
		If construction is	Col. 5:51-62		
	516: Claims 1,	required, Plaintiffs	Col. 6:51-55		
	3, 8, 12	contend the plain and	Col. 6:65-67		
		ordinary meaning of	Col. 7:38-47		
		this phrase is	Col. 10:38-39		
		"directly or indirectly	Col. 10:59-11:3		
		attached or joined	Col. 11:8-18		
		to."	Col. 12:7-26		
			Col. 13:10-22		
			Col. 14:20-45		
			Col. 19:22-27		
			Claims 1, 3,10, 11, and		
			14 FIGS. 3A-3C and 18		
			rids. 3A-3C and 16		
			'516 Patent		
			Col. 1:59-2:56		
			Col. 3:51-55		
			Col. 5:47-58		
			Col.6:54-58		
			Col. 7:42-51		
			Col. 10:64-11:8		
			Col. 11:13-23		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			Col. 12:12-31		
			Col. 13:15-27		
			Col. 14:25-50		
			Col. 19:25-30		
			Claims 1, 3, 8, and 12		
			FIGS. 3A-3C and 18		
			Other Intrinsic		
			Evidence		
			U.S. Provisional		
			Application No.		
			62/102,358;		
			U.S. Provisional		
			Application No.		
			61/941,542.		
7	"frame"	No construction	(000 Datant	"	ASS Detents
/	irame		<u>'088 Patent</u> Col. 2:29-31	"a rigid structure shaped to correspond to the	088 Patent: Figs. 3A-3C, 15, 16;
	088: Claims 1-	necessary; plain and ordinary meaning.	Col. 2.29-31 Col 3:12-15	portion of the patient's	2:29-31; 6:56-64
	3, 7, 10, 11, 14-	ordinary meaning.	Col. 3:25-28	anatomy to be	2.29-31, 0.30-04
	16	If construction is	Col. 3:23-28 Col. 3:50-59	immobilized and	
	10	required, Plaintiffs	Col. 5:38-6:14	attached to the patient	
	516: Claims 1-	contend the plain and	Col. 6:51-7:37	support via locks; the	
	3, 5-8, 10-12	ordinary meaning of	Col. 9:25-10:21	frame constructed from	
	3, 3-0, 10-12	this term is "a	Col. 10:36-58	a material with a higher	
		surrounding or	Col. 11:55-12:33	melting temperature	
		bordering structure."	Col. 14:46-64	than the preform"	
			Col. 15:40-16:18	r	
			Col. 16:65-17:42		
			Claims 1-3, 7, 10-12,		
			and 14-16		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			FIGS. 1A-1C, 3A-3C,		
			5A, 5B, 13, and 15-18.		
			'516 Patent		
			Col 3:8-11		
			Col. 3:21-24		
			Col. 3:46-55		
			Col. 5:34-58		
			Col. 5:66-6:17		
			Col. 6:54-7:41		
			Col. 9:31-10:26		
			Col. 10:41-64		
			Col. 11:60-12:39		
			Col. 14:51-15:2		
			Col. 15:43-16:21		
			Col. 17:1-45		
			Claims 1-3, 6-8, and		
			10-12		
			FIGS. 1A-1C, 3A-3C,		
			5A, 5B, 13, and 15-18.		
			Other Intrinsic		
			Evidence		
			U.S. Provisional		
			Application No.		
			62/102,358;		
			U.S. Provisional		
			Application No.		
			61/941,542.		

Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
8	"patient	Not indefinite; plain	'088 Patent	Indefinite under 35	088 Patent:
	support"	and ordinary	Col. 5:51-62	U.S.C. § 112	Figs. 2, 10; 6:65-7:7;
		meaning: "a structure	Col. 6:65-7:27	, and the second	12:54-13:9; 16:4-18
	088: Claims 1,	that provides support	Col. 10:49-11:3		
	2, 6, 7, 10, 11,	to a patient"	Col. 12:34-13:9		
	14-16		Col. 13:23-14:19		
			Col. 14:20-38		
	516: Claims 1,		Col. 15:55-16:3		
	2, 6, 7, 11, 12		Col. 16:4-18		
			Col. 17:16-42		
			Col 17:56-67		
			Claims 1, 2, 6-8, 10-		
			12, and 14-16		
			FIGS. 1A-1B, 2, 3A,		
			10, 14, 17, 18, and 20-		
			25B		
			'516 Patent		
			Col. 5:47-58		
			Col. 7:1-31		
			Col. 10:54-11:8		
			Col. 12:39-13:14		
			Col. 13:28-14:24		
			Col. 14:25-43		
			Col. 15:58-16:6		
			Col. 17:19-45		
			Col 17:59-8:3		
			Claims 1, 2, 6, 7, 11,		
			and 12		
			FIGS. 1A-1B, 3A, 10,		
			14, 17, 18, and 20-25B		

Term No.	Claim Term Patent/Claim	Plaintiffs' Proposed Construction	Plaintiffs' Intrinsic Evidence	Defendant's Proposed Construction	Defendant's Intrinsic Evidence ¹
110.	T atomy Craim	Constituction	Other Intrinsic Evidence U.S. Provisional Application No. 62/102,358; U.S. Provisional Application No. 61/941,542.	Construction	The miste Evidence
9	"adjuster axis" 088: Claims 4, 5 516: Claims 4, 5, 9, 10	Not indefinite; plain and ordinary meaning: "the axis about which the adjuster rotates"	'088 Patent Col. 7:28-54 Col. 8:20-44 Col. 8:66-9:24 Col. 9:45-65 Col. 10:21-48 Col. 11:8-48 Claims 4 and 5 FIGS. 4A-4C '516 Patent Col. 7:32-58 Col. 8:25-49 Col. 9:4-30 Col. 9:51-10:4 Col. 10:27-54 Col. 11:13-53 Claims 4, 5, 9, and 10 FIGS. 4A-4C	Indefinite under 35 U.S.C. § 112	

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Term	Claim Term	Plaintiffs' Proposed	Plaintiffs'	Defendant's Proposed	Defendant's
No.	Patent/Claim	Construction	Intrinsic Evidence	Construction	Intrinsic Evidence ¹
			Other Intrinsic Evidence U.S. Provisional Application No. 62/102,358; U.S. Provisional Application No. 61/941,542.		

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